

1 ANGELA H. DOWS, ESQ.
2 Nevada Bar No. 10339
adows@crdslaw.com
3 CORY READE DOWS & SHAFER
1333 North Buffalo Drive, Suite 210
4 Las Vegas, Nevada 89128
Telephone: (702) 794-4411
Facsimile: (702) 794-4421
5 *Pro Bono Counsel Referred*
via the Legal Aid Center of Southern Nevada
6 for Plaintiff HYRUM JOSEPH WEST

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA
9

10 ***

11	HYRUM JOSEPH WEST,)	
12)	2:13-cv-00271-APG-VCF
12	Plaintiff,)	
13	v.)	<u>STIPULATION TO EXTEND TIME</u>
14)	<u>TO FILE SUPPLEMENTAL</u>
14	NYE COUNTY, <i>et al.</i> ,)	<u>OPPOSITION AND SUPPLEMENTAL</u>
15)	<u>REPLY TO MOTION FOR</u>
15	Defendants.)	<u>SUMMARY JUDGMENT</u>
16)	(Third Request)

17 IT IS HEREBY STIPULATED by and between Angela H. Dows, Esq., counsel for
18 Plaintiff HYRUM JOSEPH WEST, and Craig R. Anderson, Esq., and Brian R. Hardy, Esq.,
19 counsel for Defendants NYE COUNTY, *et al.*, that the dates for: (1) Plaintiff HYRUM JOSEPH
20 WEST to file his supplemental opposition be extended for seven (7) days from the current
21 deadline of August 22, 2019. This is the third stipulation filed in the matter to continue the
22 deadlines for the supplemental opposition and reply, and is entered into for the following
23 reasons:
24

- 25 1. Plaintiff has been drafting the supplemental opposition to the motion for summary
26 judgment, and one or more items have arisen that require additional conferring
27 with the client.
28

- 1 2. Plaintiff compiled and disclosed supplemental information to Defendants related
2 to subpoenaed information in the case in approximately late July of 2019.
- 3 3. Plaintiff's counsel requests one week, or on or before August 29, 2019 to be able
4 to compile the information in the case, finalize the supplemental opposition, and
5 confer with the client as to one or more additional items upon review of the case.
- 6 4. That Plaintiff HYRUM JOSEPH WEST is currently incarcerated at Northern
7 Nevada Transitional Housing (*see* Nevada Department of Corrections Inmate
8 Search under search term of "Hyrum West" as of August 21, 2019, *available at*:
9 <https://ofdsearch.doc.nv.gov/form>.) and does not object to the subject brief
10 continuance.
- 11 5. The additional time requested herein is being sought in good faith not sought for
12 purposes of delay, but merely to allow the parties adequate time to have the
13 necessary issues reviewed related to additional discovery in the case.
14 15

16 DATED this 21st day of August, 2019.

17 CORY READE DOWS & SHAFER

18 By: /s/ Angela H. Dows

19 ANGELA H. DOWS, ESQ.

20 1333 North Buffalo Drive, Suite 210

21 Las Vegas, Nevada 89128

22 adows@crdslaw.com

23 *Pro Bono Counsel Referred*

24 *via the Legal Aid Center of Southern Nevada*

25 *for Plaintiff HYRUM JOSEPH WEST*

26 MARQUIS AURBACH COFFING

27 By: /s/ Craig R. Anderson

28 CRAIG R. ANDERSON, ESQ.

By: /s/ Brian R. Hardy

BRIAN R. HARDY, ESQ.

10001 Park Run Drive

Las Vegas, Nevada 89145

Counsel for Defendants

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 ***

8 HYRUM JOSEPH WEST,)
9) 2:13-cv-00271-APG-VCF
10 Plaintiff,)
11 v.) **FINDINGS OF FACT,**
12) **CONCLUSIONS OF LAW, AND**
13 NYE COUNTY, *et al.*,) **ORDER THEREON**
14 Defendants.)
15)

16 **FINDINGS OF FACT**

17 Based on the pending Stipulation of the parties, and good cause appearing therefore, the
18 Court finds that:

19 1. Plaintiff has been drafting the supplemental opposition to the motion for summary
20 judgment, and one or more items have arisen that require additional conferring with the client.

21 2. Plaintiff compiled and disclosed supplemental information to Defendants related
22 to subpoenaed information in the case in approximately late July of 2019.

23 3. Plaintiff's counsel requests one week, or on or before August 29, 2019 to be able
24 to compile the information in the case, finalize the supplemental opposition, and confer with the
25 client as to one or more additional items upon review of the case

26 4. That Plaintiff HYRUM JOSEPH WEST is incarcerated, and does not object to the
27 subject continuance.
28

1 5. The additional time requested herein is not sought for purposes of delay, but
2 merely to allow the parties to review discovery in the instant case, taking into account the
3 exercise of due diligence.

4 6. Additionally, denial of this request for a continuance could result in the
5 miscarriage of justice without resolving the instant discovery dispute prior to concluding
6 dispositive motion briefing.

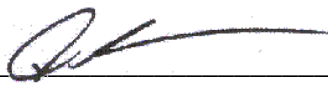
7
8 **CONCLUSIONS OF LAW**

9 The additional time requested by this stipulation is sought in good faith not sought for
10 purposes of delay, but instead to allow the parties adequate time to work through additional
11 disclosed discovery and client conferring, taking into account the exercise of due diligence. For
12 all of the above-stated reasons, the ends of justice would best be served by a brief continuance of
13 the supplemental opposition and supplemental reply to Defendants' motion for summary
14 judgment.

15
16 **ORDER**

17 IT IS THEREFORE ORDERED that the previously-scheduled deadline of August 22,
18 2019 for Plaintiff HYRUM JOSEPH WEST to file his supplemental opposition to Defendants'
19 motion for summary judgment is extended by approximately seven (7) days, or to on or before
20 ____ August 29, 2019 ____.

21 IT IS FURTHER ORDERED that Defendants' supplemental reply be extended to
22 fourteen (14) days after the filing of Plaintiff's supplemental opposition to Defendants' motion
23 for summary judgment.
24

25
26 
27 _____
28 UNITED STATES DISTRICT JUDGE
Dated: August 22, 2019.